

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARIA GUZMAN MORALES and
MAURICIO GUAJARDO, on behalf of
themselves and all other similarly
situated individuals,

Plaintiffs,

v.

FARMLAND FOODS, INC., a Delaware Corporation and subsidiary of Smithfield Foods.

Defendant.

8:08CV504

MEMORANDUM AND ORDER

Before the court is the Findings and Recommendation of United States Magistrate Judge Thomas D. Thalken, Filing No. 403. No objection has been filed to the Findings and Recommendation. Pursuant to NECivR 72.2 and 28 U.S.C. § 636(b)(1)(C), the court has conducted a de novo review of the record and adopts the Findings and Recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation, Filing No. 403, is adopted in its entirety.
2. The defendant's motion to dismiss, Filing No. 355, is granted with prejudice.
3. The defendant's motion to dismiss, Filing No. 359, is granted with prejudice.
4. The defendant's motion to dismiss, Filing No. 369, is granted to the extent the forty-two non-responsive opt-in plaintiffs' claims be dismissed without prejudice.

DATED this 23rd day of January, 2012.

BY THE COURT:

s/ Joseph F. Bataillon
United States District Judge